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Wyoming can lead by example

February 17, 2013 12:00 am • By

Wyoming bravely established the nation's first rules for the oil and gas industry practice of hydraulic fracturing in 2010.

It's clear the time was right for such rules.

Less than three years later, many other states have followed suit, using Wyoming's rules as a template. By most accounts, Wyoming's rules have well stood the test of time.

Now, Wyoming has another chance to set the standard.

Gov. Matt Mead deserves praise for taking a serious look at a tool that could help defuse the growing clamor about the risks of hydraulic fracturing. His office recently announced it was considering rules that would require companies test nearby water wells before they drill and, in the popular slang term for the practice, frack oil and natural gas wells.

Whether you're convinced fracking is entirely safe or sure it harms water, you should join us in backing such baseline testing. Such tests will show the condition of nearby water before a single well is bored. Such tests are a good, prudent and reasonable requirement that could go a long way toward settling questions about the practice of fracking, in which operators pump water, sand and chemicals underground to break open pathways for natural gas and oil to flow to the surface.

It's clear Wyoming's oil and gas industry has mixed feelings about such testing. But baseline testing isn't a new idea. The American Petroleum Institute recommends operators test water in the area before they hydraulically frack nearby wells. Many operators already arrange for such tests under private agreements with local landowners, although the data produced from those tests isn't public.

Baseline testing would've gone a long way to avoiding the mess still underway in Pavillion, as several federal agencies have struggled to prove or disprove that nearby gas drilling harmed

residents' well water. It would've avoided the mess of the resignation of Tom Doll as state oil and gas supervisor, after he said those concerned about water contamination in the area were motivated by greed.

If Mead decides to require baseline tests, he would cement Wyoming's position as role model for other states considering such regulation. While Colorado beat Wyoming to the punch on baseline testing, Wyoming should reclaim the crown. Wyoming shouldn't miss a chance to prove other states should look to us for common-sense regulations of the oil and gas industry.

Baseline testing will cost the industry money, but it's a sound investment. Baseline testing will pay dividends by assuring nearby landowners and others that the industry is searching for oil and gas the right way. Such an investment is a down payment toward building goodwill and trust, two things the industry can't purchase with promises.

We have two suggestions for Mead as he considers requiring companies to perform such tests.

Require that water testing results are made public, and quickly placed in an easy-to-access place, such as on a website.

Making the data available to the public will build trust with local landowners, soften environmentalists' bite and help support industry's long-standing declaration: Fracking is safe and the large majority of operators drill and set up their wells in responsible, environmentally safe ways.

Trust in the industry has been badly damaged by a politicized climate regarding a technique crucial to Wyoming operators and their counterparts elsewhere. We don't think anybody wants to contaminate drinking water. But it's hard for operators to prove their innocence if they can't prove bad water was bad before they drilled and fracked nearby. Now's the time to calm those fears and prove fracking is safe, and baseline testing is the tool to do so.

We also suggest the Department of Environmental Quality heads up the testing, instead of the Wyoming Oil and Gas Conservation Commission. The Department of Environmental Quality has the knowledge and the experience, and is already the state's go-to source for other environmental concerns from oil and gas drilling. And don't forget that this added burden of work will require some thought when it's time to write the budget. Everyone will lose if projects are held up by testing delays.

Mead has taken a bold step forward to consider such tests. Baseline testing is good for the industry, landowners near oil and gas wells and good for the broader discussion over hydraulic fracturing. Get it done, governor.

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